

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: SUBPOENA ISSUED IN:

St. Clair County Employees' Retirement System v. Acadia Healthcare Company, Inc. et al., pending in the United States District for the Middle District of Tennessee, Case No. 3:18-cv-00988-WLC-AEN

Misc. No. 1:22-mc-144

ORAL ARGUMENT REQUESTED

DAVID FABER

Petitioner,

v.

CHICAGO VICINITY LABORERS
DISTRICT COUNCIL PENSION FUND and
NEW YORK HOTEL TRADES COUNCIL
& HOTEL ASSOCIATION OF NEW YORK
CITY, INC. PENSION FUND,

Respondents.

**NOTICE OF PETITIONER DAVID FABER'S
MOTION TO QUASH NON-PARTY SUBPOENA**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law; Declarations of Elizabeth A. McNamara and David Faber; and exhibits attached thereto, Petitioner David Faber ("Petitioner") moves for an order pursuant to Fed. R. Civ. P. 45(d)(3) quashing the non-party subpoena issued on him by Respondents Chicago Vicinity Laborers District Council Pension Fund and New York Hotel Trades Council & Hotel Association of New York City, Inc. Pension Fund in connection with the underlying case *St. Clair County Employees' Retirement System v. Acadia Healthcare Company, Inc. et al.*, pending in the United States District for the Middle District of Tennessee, Case No. 3:18-cv-00988-WLC-AEN. Petitioner respectfully requests oral argument on this Motion.

PLEASE TAKE FURTHER NOTICE that in accordance with the briefing schedule agreed upon by the parties, Respondents' opposition papers are due to be filed and served on June 3, 2022, and Petitioner's reply papers are due to be filed and served on June 15, 2022.

Dated: New York, New York
May 20, 2022

Respectfully submitted,

/s/ Elizabeth A. McNamara
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CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2022, I electronically filed the foregoing Notice of Motion, concurrently-filed Memorandum of Law; Declarations of Elizabeth A. McNamara and David Faber; and exhibits thereto, with the Clerk of the Court using CM/ECF. I also certify that the foregoing documents are being served this day on all counsel of record for Respondents identified on the attached Service List via email and U.S. mail.

By: /s/ Elizabeth A. McNamara
Elizabeth A. McNamara

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